

### REMARKS

Claims 1 through 20 are extant in the case.

Examiner has rejected claims 1 through 20 under 35 U.S.C. § 102 (b) as being anticipated by USPN 5,381,524 (Lewis). Applicant has amended the independent claims to emphasize the very clear differences of the present invention over the prior art. Applicant respectfully traverses the rejection of the claims, as amended, and requests reconsideration.

#### Criteria for a Rejection under 35 U.S.C. § 102

The criteria for a rejection under 35 U.S.C. § 102 has been clearly defined by the courts and confirmed by the U.S. Patent and Trademark Office. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Below, Applicant points out subject matter within each independent claim that is not disclosed or suggested by Lewis. On the basis of this, Applicant believes the independent claims discussed below and all the claims dependent thereon are patentable over Lewis.

### Discussion of Independent Claim 1

Claim 1 sets out an electronic instrument that includes a display for displaying a signal waveform. The signal waveform is from a signal detected by the electronic instrument. This is not disclosed by Lewis.

Lewis discloses a method and apparatus that automates the entry modifications and verification of timing diagrams for electrical circuits. See the Abstract of Lewis. The timing diagrams are not from a signal detected by an electronic instrument. They are merely diagrams that illustrate the anticipated operation of electrical circuits. In essence, Lewis discloses a drawing program optimized to allow a user to author timing diagrams. Lewis does not disclose an electronic instrument that can detect signals.

In claim 1, the electronic instrument also includes logic that adjusts values for a selected parameter of the displayed signal waveform based on locations on the display selected by the user using the pointing device. This is not disclosed or suggested by Lewis.

As discussed above, Lewis discloses a drawing program optimized to allow a user to draw timing diagrams. The drawing program allows a user to author and adjust timing diagrams. Examiner has pointed to column 12, lines 1 through 4, which describes how a user is able to change the edge state for a waveform. This does not disclose or suggest the logic set out in claim 1 of the present case.

Specifically, the logic within the electronic instrument, set out in claim 1 of the present case, adjusts values for a selected parameter of the displayed signal waveform where the signal waveform is from a signal detected by the electronic instrument. These adjustments change how the signal detected by the electronic instrument is displayed by the electronic instrument.

In Lewis, by contrast, a drawing tool allows a user the ability to author and analyze a timing diagram. It is expected that a program that allows an author to draw a timing diagram also allows the author to make changes to the diagram. Such changes to a timing diagram are part of the authoring process. Since the timing diagram is only a composition of the author, it makes sense the author would have the ability to change the composition.

However, this is completely different from changing display parameters of a signal waveform from a signal detected by an electronic instrument, as set out in claim 1. In claim 1, the signal waveform is not authored by the user of the signal, but is a representation of a signal detected by the electronic instrument. Since the signal waveform is not the result of an author's imagination, but rather is from a detected signal, it would not be obvious to make modifications to the signal using a drawing program such as is set out by Lewis.

For example, it would not be obvious to use a drawing program, such as disclosed by Lewis, to make changes to a signal waveform from a signal detected by an electronic instrument because this would probably result in loss of information about the underlying signal.

#### Discussion of Independent Claim 9

Claim 9 sets out a method. In step (a) of claim 9, a signal waveform is displayed on a display. The signal waveform is from a signal detected by an electronic instrument. This is not disclosed by Lewis.

Lewis discloses a method and apparatus that automates the entry modifications and verification of timing diagrams for electrical circuits. See the Abstract of Lewis. The timing diagrams are not from a signal detected by an electronic instrument. They are merely diagrams that illustrate the anticipated operation of electrical circuits. In essence, Lewis discloses a drawing program optimized to allow a user to draw timing diagrams. Lewis does not disclose an electronic instrument that can detect signals.

In step (b) of claim 9, in response to a user using a pointing device to select a location on the display, values for a selected parameter of the displayed signal waveform are adjusted based on locations on the display selected by the user using the pointing device. This is not disclosed or suggested by Lewis.

As discussed above, Lewis discloses a drawing program optimized to allow a user to draw timing diagrams. The drawing program allows a user to author and adjust timing diagrams. Examiner has pointed to column 12, lines 1 through 4, which describes how a user is able to change the edge state for a waveform. This does not disclose or suggest step (b) of claim 9.

Specifically, as set out in substep (b.1) of claim 9 of the present case, values for a selected parameter of the displayed signal waveform are adjusted where the signal waveform is from a signal detected by the electronic instrument. These adjustments change how the signal detected by the electronic instrument is displayed by the electronic instrument.

In Lewis, by contrast, a drawing tool allows a user the ability to author and analyze a timing diagram. It is expected that a program that allows an author to draw a timing diagram, also allows the author to make changes to the diagram. Such changes to a timing diagram are part of the authoring process. Since the timing diagram is only a composition of the author, it makes sense the author would have the ability to change the composition.

However, this is completely different from changing display parameters of a signal waveform from a signal detected by an electronic instrument, as set out in claim 1. In claim 1, the signal waveform is not authored by the user of the signal, but is a representation of a signal detected by the electronic instrument. Since the signal waveform is not the

result of an author's imagination, but rather is from a detected signal, it would not be obvious to make modifications to the signal using a drawing program such as is set out by Lewis.

For example, it would not be obvious to use a drawing program, such as disclosed by Lewis, to make changes to a signal waveform from a signal detected by an electronic instrument because this would probably result in loss of information about the underlying signal.

#### Discussion of Independent Claim 16

Claim 9 sets out storage media for storing software which when run on a device that has computing capability performs a method. In step (a) of the method of claim 16, a signal waveform is displayed on a display. The signal waveform is from a signal detected by an electronic instrument. This is not disclosed by Lewis.

Lewis discloses a method and apparatus that automates the entry modifications and verification of timing diagrams for electrical circuits. See the Abstract of Lewis. The timing diagrams are not from a signal detected by an electronic instrument. They are merely diagrams that illustrate the anticipated operation of electrical circuits. In essence, Lewis discloses a drawing program optimized to allow a user to draw timing diagrams. Lewis does not disclose an electronic instrument that can detect signals.

In step (b) of claim 16, in response to a user using a pointing device to select a location on the display, values for a selected parameter of the displayed signal waveform are adjusted based on locations on the display selected by the user using the pointing device. This is not disclosed or suggested by Lewis.

As discussed above, Lewis discloses a drawing program optimized to allow a user to draw timing diagrams. The drawing program allows a user to author and adjust timing diagrams. Examiner has pointed to column 12, lines 1 through 4, which describes how a user is able to change the edge state for a waveform. This does not disclose or suggest step (b) of claim 16.

Specifically, as set out in substep (b.1) of claim 16 of the present case, values for a selected parameter of the displayed signal waveform are adjusted where the signal waveform is from a signal detected by the electronic instrument. These adjustments change how the signal detected by the electronic instrument is displayed by the electronic instrument.

In Lewis, by contrast, a drawing tool allows a user the ability to author and analyze a timing diagram. It is expected that a program that allows an author to draw a timing diagram, also allows the author to make changes to the diagram. Such changes to a timing diagram are part of the authoring process. Since the timing diagram is only a composition of the author, it makes sense the author would have the ability to change the composition.

However, this is completely different from changing display parameters of a signal waveform from a signal detected by an electronic instrument, as set out in claim 1. In claim 1, the signal waveform is not authored by the user of the signal, but is a representation of a signal detected by the electronic instrument. Since the signal waveform is not the result of an author's imagination, but rather is from a detected signal, it would not be obvious to make modifications to the signal using a drawing program such as is set out by Lewis.

For example, it would not be obvious to use a drawing program, such as disclosed by Lewis, to make changes to a signal waveform from a signal detected by an electronic instrument because this would probably result in loss of information about the underlying signal.

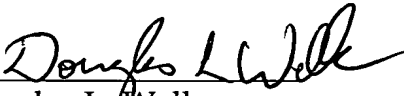


Conclusion

Applicant believes this Amendment has placed the present Application in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

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